

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.174 OF 2004
IN
WRIT PETITION NO.3730 OF 1990

Thermax Limited .. Petitioner
V/s
Union of India & Ors. .. Respondents

Mr.Hari Haran i/by DSK Legal for the Petitioner.
Mr.S.M.Shah with Mr.R.V.Desai for the Respondents.

CORAM: S.RADHAKRISHNAN &
J.P.DEVADHAR, JJ.

DATE : 03.02.2005.

P.C.:

1. Heard the learned Counsel for the parties. By this Notice of Motion the Petitioner is seeking to recall the order of this Court dated 6th October, 2003 whereby the Petition was dismissed in default.

2. Perused the affidavit in support of the Notice of Motion. For the reasons stated therein, sufficient cause is made out for recalling the order of dismissal. There is no case of inaction, negligence or want of bonafide on the part of the Petitioner. Hence the Notice of Motion is made absolute in terms of prayer clause (a). Place the Petition on board for final hearing on 9.2.2005.

(S.RADHAKRISHNAN, J.)

